

SUPPORT FOR THE AMENDMENTS

Claims 1-6 and 8-19 are currently amended.

Claim 7 was previously canceled.

Claims 20-22 are added.

Support for the amendments to claims 1-6 and 8-19 can be found in the specification at page 3, lines 11-12 and the Examples at pages 17-21, as originally filed.

Support for claims 20-22 can be found in the specification at page 3, lines 11-12 and page 21, lines 26-28, as originally filed.

No new matter is added by the amendments. Accordingly, entry of the amendments is requested.

Upon entry of the amendment, claims 1-6 and 8-22 will be pending in the present application.

REQUEST FOR RECONSIDERATION

Applicants wish to thank Examiner for the withdrawal of the previous rejections under 35 U.S.C. § 112, second paragraph and 35 U.S.C. § 103(a). Reconsideration of the claimed invention is requested in light of the following remarks.

As shown above, the claims have been amended to separately recite a

basketball (claim 1), **handball** (claim 20), **rugby ball** (claim 21), and an **American football** (claim 22) having at least a part thereof made of the artificial leather of the claimed invention. The references of record, alone or in combination, do not structurally describe or suggest any of the balls of the claimed invention.

Accordingly, the rejection of claims 1-6 and 8-19 under 35 U.S.C. § 103(a) over Grafton (U.S. 5,813,932) in view of Okawa et al. (JP-A 06-264369) is traversed and obviated by amendment.

Regarding Grafton, the reference only relates to a game **footbag** having an improved skin and filler, which is structurally and materially different than a basketball, handball, rugby ball, or an American football. In particular, the reference recites that:

[i]n the fabrication of game **footbags**, the objective is to provide a loose fill of the filler pellets or other material sufficient to maintain a soft, easily deformed, generally spherical shape for the footbag. The objective is to provide a game article which is virtually free of elasticity or rebound characteristic.

(Column 1, lines 13-17 of the reference). (Emphasis added). (See also column 2, lines 32-33, reciting that the game footbag has a “low rebound characteristic”).

In contrast, basketballs, handballs, rugby balls, and American footballs are structurally produced to exhibit deformation (i.e., retaining their inflated state), and to provide very elastic and *reboundable* characteristics. These properties and characteristics are necessary for the games/sporting activities that incorporate the use of such specific game balls. Moreover, as noted above, game footbags contain fillers, capable of absorbing impact

energy, to provide “virtually no rebound characteristics for the footbag.” (Column 3, lines 5-12). However, such fillers are clearly not a structural component or an expected feature for a basketball, handball, rugby ball, or an American football. Therefore, one would not look to the Grafton for guidance on achieving the claimed invention.

Regarding Okawa et al., as shown by the English translation of the reference, the reference does not describe or suggest whatsoever the incorporation of any artificial leather on or for a game ball, much less a basketball, handball, rugby ball, or an American football. The reference merely relates to a nubuck tone artificial leather, which may be coated with a metallic powder. (See the Claims and Detailed Description of the Invention).

Applicants note that the Examiner alleges that it would be obvious for one to use the artificial leather of Okawa et al. as the high quality artificial leather disclosed in Grafton. (Present Office Action at page 3, lines 13-16). However, even assuming *arguendo*, based on hindsight of the present specification, that one would substitute the artificial leathers, the claimed invention still would not be achieved. In particular, as discussed above, Grafton only describes *footbags*. Furthermore, Grafton recites that it is the

“[t]he combination of outer skin material comprising high quality synthetic suede together with a highly fluid action filler formed of slick-surfaced plastic pellets [that] substantially improves the durability and performance of the present invention game footbag.”

(Column 4, lines 52-56). (Emphasis added). As discussed above, the claimed invention clearly does not relate to and would not include such a filler material.

Therefore, the claimed invention is novel and unobvious over the cited references.

Accordingly, withdrawal of the rejection is requested.

Applicants submit that the application is now in condition for allowance. Early notification of such allowance is earnestly solicited.

Application No. 10/791,779
Reply to Office Action of May 31, 2006

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

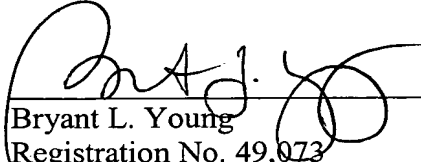
Respectfully submitted,

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